

London Ordinances, &c.

MODEL BYELAWS

ISSUED BY

THE LOCAL GOVERNMENT BOARD.

IV.

New Streets and Buildings.



LONDON:

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MEMORANDUM.

Section 157 of the Public Health Act, 1875, (38 & 39 Vict. c 55), provides that "every Urban Authority may make byelaws with respect to the following matters ; (that is to say,)

- "(1.) With respect to the level, width, and construction of new streets, and the provisions for the sewerage thereof ;
- "(2.) With respect to the structure of walls, foundations, roofs, and chimneys of new buildings, for securing stability and the prevention of fires, and for purposes of health ;
- "(3.) With respect to the sufficiency of the space about buildings to secure a free circulation of air, and with respect to the ventilation of buildings ;
- "(4.) With respect to the drainage of buildings, to waterclosets, earthclosets, privies, ashpits, and cesspools in connexion with buildings, and to the closing of buildings or parts of buildings unfit for human habitation, and to prohibition of their use for such habitation :

"And they may further provide for the observance of such byelaws by enacting therein such provisions as they think necessary as to the giving of notices, as to the deposit of plans and sections by persons intending to lay out streets or to construct buildings, as to inspection by the Urban Authority, and as to the power of such Authority (subject to the provisions of this Act) to remove, alter, or pull down any work begun or done in contravention of such byelaws :

"Provided that no byelaw made under this section shall affect any building erected in any place (which at the time of the passing of this Act

“is included in an urban sanitary district) before
 “the Local Government Acts came into force in
 “such place, or any building erected in any place
 “(which at the time of the passing of this Act is
 “not included in an urban sanitary district) before
 “such place becomes constituted or included in an
 “urban district, or by virtue of any order of the
 “Local Government Board subject to this enact-
 “ment.

“The provisions of this section . . . shall not
 “apply to buildings belonging to any railway
 “company and used for the purposes of such
 “railway under any Act of Parliament.”

In connexion with the subject of byelaws with respect to new streets and buildings the two following sections (158, 159) are important.

Sections 158 and 159 are in these terms :—

(Section 158.) “Where a notice, plan, or
 “description of any work is required by any
 “byelaw made by an Urban Authority to be
 “laid before that Authority, the Urban Autho-
 “rity shall, within one month after the same
 “has been delivered or sent to their surveyor
 “or clerk, signify in writing their approval or
 “disapproval of the intended work to the person
 “proposing to execute the same; and if the
 “work is commenced after such notice of
 “disapproval, or before the expiration of such
 “month without such approval, and is in any
 “respect not in conformity with any byelaw of
 “the Urban Authority, the Urban Authority
 “may cause so much of the work as has been
 “executed to be pulled down or removed.

“Where an Urban Authority incur expenses
 “in or about the removal of any work executed
 “contrary to any byelaw, such Authority may
 “recover in a summary manner the amount of
 “such expenses either from the person exe-
 “cuting the works removed, or from the person
 “causing the works to be executed, at their
 “discretion.

“ Where an Urban Authority may, under this
 “ section, pull down or remove any work begun
 “ or executed in contravention of any byelaw,
 “ or where the beginning or the execution of
 “ the work is an offence in respect whereof the
 “ offender is liable in respect of any byelaw to
 “ a penalty, the existence of the work during its
 “ continuance in such a form and state as to be
 “ in contravention of the byelaw shall be deemed
 “ to be a continuing offence, but a penalty shall
 “ not be incurred in respect thereof after the
 “ expiration of one year from the day when the
 “ offence was committed or the byelaw was
 “ broken.”

(Section 159.) “ For the purposes of this Act, the
 “ re-erecting of any building pulled down to or
 “ below the ground floor, or of any frame
 “ building of which only the framework is left
 “ down to the ground floor, or the conversion
 “ into a dwelling-house of any building not
 “ originally constructed for human habitation,
 “ or the conversion into more than one dwelling-
 “ house of a building originally constructed as
 “ one dwelling-house only, shall be considered
 “ the erection of a new building.”

In connexion with the byelaws authorized by section 157 (3 and 4), and with the interpretation of the important proviso in that section, the attention of the Sanitary Authority may be usefully directed to the cases of *Tucker v. Rees* (7 Jur., n.s. 629), and *Burgess v. Peacock* (16 C.B., n.s. 624 ; 10 L.T., n.s. 617).

JOHN LAMBERT,
 Secretary.

Local Government Board,
 25th July 1877.

REVISE OF 1904.

With the view of making the series somewhat less stringent and more elastic in its requirements, there have been introduced some additional and substitutional clauses and provisoes, which, although not hitherto included in the Model Code as printed, have been generally adopted by Local Authorities in recent years.

Certain modifications and amendments have been made in the details of some of the Model clauses.

S. B. Provis.

Secretary.

Local Government Board,
February, 1904.

NOTE.—*The Board have not issued any model series of byelaws which may be made under section 23 of the Public Health Acts Amendment Act, 1890 (53 & 54 Vict. c. 59); but forms which would no doubt be of service to a local authority proposing to embody such byelaws in the series can be obtained from the publishers of books and forms relating to local government.*

NOTE.—Any Local Authority proposing to make byelaws on this subject should apply to the Local Government Board for a form on which to submit a draft of the byelaws for the Board's preliminary approval.

BYELAWS

made by the¹

with respect to NEW STREETS AND BUILDINGS in²

Interpretation of Terms.

1. In the construction of the byelaws relating to new streets and buildings the following words and expressions shall have the meanings herein-after respectively assigned to them, unless such meanings be repugnant to or inconsistent with the context or subject matter in which such words or expressions occur ; that is to say,—

“ District ” means the²

:

“ Council ” means the¹

:

“ Base ” applied to a wall means the under side of the course immediately above the footings, if any, or in the case of a wall wholly carried by a bressummer, the underside of the course immediately above the bressummer :

“ Party wall ” means :—

(a.) A wall forming part of a building and being used or constructed to be used in any part of the height or length of such wall for separation of adjoining buildings belonging to different owners or occupied or constructed or adapted to be occupied by different persons ; or

¹ “ Mayor, Aldermen, and Burgesses of the Borough of
“ , acting by the Council ” ; or, “ Urban [or Rural]
“ District Council of , ” as the case may be.

² Insert name of borough or urban or rural district, or, if the byelaws are to apply to part only of a rural district, “ that portion
“ of the Rural District of , which comprises the
“ contributory places of , ” as the case may be.

(b.) A wall forming part of a building and standing, in any part of the length of such wall, to a greater extent than the projection of the footings on one side on grounds of different owners :

“ External wall ” means an outer wall of a building not being a party wall, even though adjoining to a wall of another building :

“ Public building ” means a building used or constructed or adapted to be used, either ordinarily or occasionally, as a church, chapel, or other place of public worship, or as a hospital, workhouse, college, school (not being merely a dwelling-house so used), theatre, public hall, public concert room, public ball-room, public lecture room, or public exhibition room, or as a public place of assembly for persons admitted thereto, by tickets or otherwise, or used or constructed or adapted to be used, either ordinarily or occasionally, for any other public purpose :

“ Building of the warehouse class ” means a warehouse, factory, manufactory, brewery or distillery :

“ Domestic building ” means a dwelling house or an office building, or other out-building appurtenant to a dwelling-house, whether attached thereto or not, or a shop, or any other building not being a public building, or of the warehouse class :

“ Dwelling-house ” means a building used or constructed or adapted to be used wholly or principally for human habitation :

“ Bressummer ” means a wooden beam or a metal girder which carries a wall :

“ Width,” applied to a new street, means the whole extent of space intended to be used, or laid out so as to admit of being used, as a public way, exclusive of any steps or projections therein, and measured at right angles to the course or direction or intended course or direction of such street.

Exempted buildings.

2. The following buildings shall be exempt from the operation of the byelaws relating to new streets and buildings :—

(a.) Any building in His Majesty's possession, or employed or intended to be employed for His Majesty's use or service :

(b.) Any county or borough lunatic asylum, and any building or part of a building belonging to the council of any county, city or borough, and used or intended to be used for the detention of any prisoners :

(c.) Any gaol, house of correction, bridewell, penitentiary, or other prison, and any building occupied or intended to be occupied by any prison officer for the use of such prison and contiguous thereto :

(d.) Any building (not being a dwelling-house) belonging to any person or body of persons authorized by virtue of any Act of Parliament to navigate on or use any river, canal, dock, harbour, or basin, or to demand any tolls or dues in respect of the navigation of such river or canal, or the use of such dock, harbour or basin, and used or intended to be used exclusively under the provisions of such Act of Parliament for the purposes of such river, canal, dock, harbour, or basin :

(e.) Any building (not being a dwelling-house) erected or intended to be erected in connexion with any mine, and used or intended to be used exclusively for the working of such mine :

(f.) Any building erected or to be erected according to plans previously approved by the Land Commissioners for England, or the Board of Agriculture, or the Board of Agriculture and Fisheries under the Improvement of Land Act, 1864, or other Act or Acts for the improvement of land :

(g.) Any building which may not be exempt by the operation of any of the preceding clauses of this byelaw, and which may be erected or may be intended to be erected in accordance with such plan and in such manner as may be approved or directed in pursuance of any statutory provision in that behalf by one of His Majesty's Principal Secretaries of State :

(h.) Any building erected and used, or intended to be erected and used, exclusively for the purpose of a plant-house, greenhouse or conservatory :

(i.) Any building erected and used, or intended to be erected and used, exclusively for the purpose of an orchard-house, summer-house, poultry-house, boathouse, coal-shed, garden-tool house, potting-shed, cycle-shed, or aviary which shall not exceed in extent *six hundred cubic feet*, or which if exceeding in extent *six hundred cubic feet* or if used or intended to be used as a poultry-house or

aviary shall be wholly detached, and at a distance of *ten feet* at the least from any other building, not being a building exempt under paragraphs (h), (i), (j), or (k) of this byelaw :

(j.) Any building which shall not exceed in height *thirty feet* and shall not exceed in extent *one hundred and twenty five thousand cubic feet*, and shall not be a public building, and shall not be constructed or adapted to be used either wholly or partly for human habitation, or as a place of habitual employment for any person in any manufacture, trade, or business, and shall be distant at least *eight feet* from the nearest street, and at least *thirty feet* from the nearest building not being a building exempt under paragraphs (h), (i), (j), or (k) of this byelaw, and from the boundary of any adjoining lands or premises :

(k.) Any building which shall exceed in height *thirty feet* and shall exceed in extent *one hundred and twenty five thousand cubic feet*, and shall not be a public building, and shall not be constructed or adapted to be used either wholly or partly for human habitation, or as a place of habitual employment for any person in any manufacture, trade, or business, and shall be distant at least *thirty feet* from the nearest street, and at least *sixty feet* from the nearest building not being a building exempt under paragraphs (h), (i), (j), or (k) of this byelaw, and from the boundary of any adjoining lands or premises :

(l.) Any building erected or intended to be erected for use solely as a temporary hospital for the reception and treatment of persons suffering from any dangerous infectious disorder.

For the purpose of this byelaw, the height of a building shall be measured from the level of the ground adjoining the walls to half the vertical height of the roof.

3. The following buildings shall be exempt from the operation of the byelaws numbered*

Any building which comprises not more than one storey, the external walls of which shall be constructed of, or wholly covered with, galvanized, corrugated, or other

* Here insert the words "twelve to thirty-five" both inclusive, or such other numbers as correspond with those byelaws of the model series.

sheet iron, which shall not be constructed or adapted to be used either wholly or partly for human habitation, and which shall not exceed *thirty feet* in height nor *eighty thousand cubic feet* in capacity.

Provided that such building (a.) if it does not exceed *two thousand cubic feet* in capacity shall be distant at least *ten feet* from the boundary of any adjoining lands or premises not being a street ;

(b.) if it exceeds *two thousand cubic feet* but does not exceed *fifteen thousand cubic feet* in capacity, shall be distant at least *eight feet* from the nearest street, and at least *fifteen feet* from the nearest building, and from the boundary of any adjoining lands or premises ;

(c.) if it exceeds *fifteen thousand cubic feet* in capacity, shall be distant at least *eight feet* from the nearest street, and *thirty feet* from the nearest building, and from the boundary of any adjoining lands or premises.

For the purposes of this byelaw height shall be measured from the level of the ground adjoining the walls to half the vertical height of the roof of the building.

With respect to the level, width, and construction of new streets.

4. Every person who shall lay out a new street shall lay out such street at such level as will afford the easiest practicable gradients throughout the entire length of such street for the purpose of securing easy and convenient means of communication with any other street or intended street with which such new street may be connected or may be intended to be connected, and as will allow of compliance with the provisions of any statute or byelaw in force within the district for the regulation of new streets and buildings.

5. (1.) Every person who shall lay out a new street which shall be intended for use as a carriage-road shall so lay out such street that the width thereof shall be *thirty-six feet* at the least.

(2.) Every person who shall construct a new street which shall exceed *one hundred feet* in length shall construct such street for use as a carriage-road, and shall, as regards such street, comply with the requirements of every byelaw relating to a new street intended for use as a carriage-road.

(3.) Provided always, that this byelaw shall not apply in any case where a new street shall not be intended to form the principal approach or means of access to any building.

6. Every person who shall lay out a new street which shall be intended to form the principal approach or means of access to any building, but shall be intended for use otherwise than as a carriage-road, and shall not exceed in length *one hundred feet*, shall so lay out such street that the width thereof shall be *twenty-four feet* at the least.

7. Every person who shall lay out a new street which shall not be intended to form the principal approach or means of access to any building, but shall be intended for use as a secondary means of access to any premises for the purpose of the removal therefrom of house refuse and other matters, shall so lay out such street that the width thereof shall be *sixteen feet* at the least, provided that if such new street shall not exceed in length *one hundred yards* the width thereof shall be *thirteen feet* at the least.

8. Every person who shall construct for use as a carriage-road a new street intended to form the principal approach or means of access to any building shall comply with the following requirements :—

(a.) He shall construct the carriage-way of such street so that the width thereof shall be *twenty-four feet* at the least.

(b.) He shall construct the surface of the carriage-way of such street so as to curve or fall from the centre or crown of such carriage-way to the channels at the sides thereof; the height of the crown of such carriage-way above the level of the side channels being calculated at the rate of not less than *three-eighths of an inch* and not more than *three-fourths of an inch* for every *foot* of the width of such carriage-way.

(c.) He shall construct on each side of such street a footway of a width not less than *one-sixth* of the entire width of such street.

(d.) He shall construct each footway in such street so as to slope or fall towards the kerb or outer edge at the rate of *one half of an inch* in every *foot* of width, if the footway be not paved, flagged, or asphalted; and at the rate of not less than *a quarter of an inch* and not more than *one half of an inch* in every *foot* of width, if the footway be paved, flagged, or asphalted.

(e.) He shall construct each footway in such street so that the height of the kerb or outer edge of such footway above the channel of the carriage-way (except in the case of crossings paved or otherwise formed for the use of foot passengers) shall be not less than *three inches* at the highest part of such channel and not more than *seven inches* at the lowest part of such channel.

9. Every person who shall construct a new street shall provide that one end, at least, of such street shall be open from the ground upwards to the full width of such street.

With respect to the structure of walls, foundations, roofs, and chimneys of new buildings for securing stability and the prevention of fires, and for purposes of health.

[*10. A person who shall erect a new building shall not construct any foundation of such building upon any site which shall have been filled up with any material impregnated with faecal matter or impregnated with any animal or vegetable matter, or upon which any such matter may have been deposited, unless and until such matter shall have been properly removed, by excavation or otherwise, from such site.]

11. Every person who shall erect a new domestic building shall cause the whole ground surface within the external walls of such building to be properly asphalted or covered with a layer of good cement concrete, at least *six inches* thick or *four inches* thick if properly grouted.

12. In every case where the intended site of a new building may have been or may have formed part of a clay-pit, or where, by reason of excavation and the removal of earth, gravel, stones, or other materials from such site, the whole or any part of the surface thereof may be at such a depth below the level of the surface of the ground immediately surrounding and adjoining such site as may render the elevation of the whole or part of the existing surface of such site necessary for the prevention of damp in any part of any building to be erected thereon :—

A person shall not construct any foundation of a new building upon such site or upon such part thereof as, for

* Where Section 25 of the Public Health Acts Amendment Act, 1890 (53 & 54 Vict. c. 59), or any similar enactment is in force, this clause must be omitted.

the purpose aforesaid, may require elevation, unless and until there shall have been properly deposited thereon, a layer or layers of sound and suitable material sufficient to elevate such site or such part thereof to an adequate height, and to form a stable and healthy substratum for such foundation.

*† 13. In every case where the intended site of a new building may be [at a height less than feet above ordnance datum] within an area bounded by]†

a person shall not construct any foundation of such building, unless and until there shall have been properly deposited upon the site a layer or layers of sound and suitable material sufficient to elevate such site to a height at least

feet above the ordnance datum, and to form a stable and healthy substratum for such foundation; or unless he shall so erect the building upon cement concrete, masonry, or brickwork, or other suitable and sufficient supports, that the floor of the lowest storey shall be at least feet above the ordnance datum.

14. Every person who shall erect a new building shall, except in such cases as are hereinafter specified, cause the external and party walls thereof to be constructed of good

** This clause, which is applicable only to areas containing low lying sites, should be omitted if not required.*

† Where this clause is adopted, the Council, in filling it up, should carefully consider the requirements of their district in the light of local knowledge as to the height to which floods may extend and the area or areas liable to be affected by them.

In districts in which the water levels vary little, as in those of small extent or in flat districts near to the sea or to a tidal river, it may often suffice to specify only the height above ordnance datum below which the byelaw comes into force without defining an area, otherwise than by the height. But in districts of varying level in which the liability to flooding of different parts is affected by local conditions other than the height above sea level—as by obstructions to the flow of water in a river—it may be necessary to define an area comprising the part liable to be flooded, and to limit the bye-law to this area. In some districts containing a considerable length of river course it may indeed be necessary to define two or more such areas, and to specify a different height in each area.

† Here insert, alternatively, the height below which, or a description of the boundaries of the area to which, the following requirement is to apply.

bricks, stone, or other hard and incombustible materials, properly bonded and solidly put together :—

(i.) With good mortar compounded of good lime and clean sharp sand, or other suitable material ; or

(ii.) With good cement ; or

(iii.) With good cement mixed with clean sharp sand.

• *Provided always :—

(a.) That such person may construct any external wall of such building as a hollow wall, if such wall be constructed in accordance with the following rules :—

(i.) The inner and outer parts of the wall shall be separated by a cavity, which shall throughout be of a width not exceeding *two and a half inches*, and shall be properly drained and ventilated.

(ii.) The inner and outer parts of the wall shall be securely tied together with suitable bonding ties of adequate strength formed of galvanized iron, of iron tarred and sanded, or of glazed stoneware. Such ties shall be placed at distances apart not exceeding *three feet* horizontally and *eighteen inches* vertically.

(iii.) The thickness of each part of the wall shall throughout be not less than *four and a half inches*.

(iv.) The aggregate thickness of the two parts, excluding the width of the cavity, shall throughout be not less than the minimum thickness prescribed by the byelaw in that behalf for an external wall of the same height and length, and belonging to the same class of building as that to which the hollow wall belongs.

(v.) All woodwork which may be intended to form the head of a door-frame or window-frame, a lintel, or other similar structure, and may be inserted in the wall so as to project into or extend across the intervening cavity, shall be covered throughout on the upper side thereof with a layer of sheet lead or other suitable material impervious to moisture in such a manner as effectually to protect such woodwork from any moisture that may enter the cavity.

(b.) That where a new domestic building shall be distant not less than *fifteen feet* from any other building not being in the same curtilage, the person erecting such

* The Board have not included any provision allowing walls to be constructed of steel-framing, but would be prepared to consider a proviso allowing this form of construction.

new building may construct its external walls of timber-framing, subject to compliance with the following conditions, that is to say :—

(i.) The timber-framing shall be properly put together, and the spaces between the timbers shall be filled in completely with brickwork or other solid and incombustible material.

(ii.) A thickness of at least *four and a half inches* of brickwork or other solid and incombustible material shall be placed at the back of every portion of timber.

(c.) That where a new domestic building forms or is intended to form part of a block of new domestic buildings not exceeding *three* in number, and each of which shall be distant not less than *fifteen feet* from any other building, not being in the same curtilage and not forming part of the same block, the person erecting such new building may construct its external walls of timber-framing, subject to compliance with the following conditions, that is to say :—

(i.) The several buildings shall be separated by party walls, each of which shall be constructed in accordance with the requirements of the byelaws in that behalf, and shall project at least *one inch* in front of any timber-framing in any adjoining external wall.

(ii.) The timber-framing shall be properly put together, and the spaces between the timbers shall be filled in completely with brickwork or other solid and incombustible material.

(iii.) A thickness of at least *four and a half inches* of brickwork or other solid and incombustible material shall be placed at the back of every portion of timber.

(d.) That where a new domestic building which comprises *two* or more storeys shall be distant not less than *fifteen feet* from any other building not being in the same curtilage, or forms, or is intended to form, part of a block of new domestic buildings not exceeding *three* in number, and each of which shall be distant not less than *fifteen feet* from any other building, not being in the same curtilage and not forming part of the same block, the person erecting such new building may construct the external walls of the topmost storey, or if the building comprises more than *two* storeys, of the topmost *two* storeys, of timber-framing covered with tiles, slates, or

other suitable incombustible material, subject to compliance with the following conditions, that is to say :—

(i.) The timber-framing shall be properly put together, with sufficient braces, ties, plates, and sills.

(ii.) So much of any external wall as is below that portion which may be of timber-framing covered with tiles, slates, or other suitable incombustible material shall be constructed of the same thickness and in other respects subject to the same conditions as would be applicable if the wall had been constructed throughout its whole height of good bricks, stone, or other hard and incombustible materials.

(iii.) Every party wall in any such block of buildings shall be carried out at least to the external face of any timber-framing in any adjoining external return wall.

15. Every person who shall erect a new building shall construct every cross wall, which, in pursuance of the byelaw in that behalf, may, as a return wall, be deemed a means of determining the length of any external wall or party wall of such building, of good bricks, stone, or other hard and incombustible materials, properly bonded and solidly put together :—

(i.) With good mortar compounded of good lime and clean sharp sand, or other suitable material ; or

(ii.) With good cement ; or

(iii.) With good cement mixed with clean sharp sand.

16. A person who shall erect a new building shall not construct any wall of such building so that any part of such wall, not being a part properly corbelled out or supported, or a projection intended solely for the purposes of architectural ornament, shall overhang any part beneath it.

17. Every person who shall erect a new building shall cause every wall of such building which may be built at an angle with another wall to be properly bonded therewith.

18. Every person who shall erect a new building shall construct every wall of such building so as to rest upon proper footings, or upon a sufficient bressummer.

He shall cause the projection at the widest part of the footings (if any) of every wall, on each side of such wall, to be at least equal to *one half* of the thickness of such wall at its base, unless an adjoining wall interferes, in which case the projection may be omitted where that wall adjoins.

He shall also cause the diminution of the footings to be in regular offsets, or in one offset at the top of the footings, and he shall cause the height from the bottom of the footings to the base of the wall to be at least equal to *two thirds* of the thickness of the wall at its base.

19. Every person who shall erect a new building shall cause the footings (if any) of every wall of such building to rest on the solid ground, or upon a sufficient thickness of good concrete, or upon some solid and sufficient sub-structure, as a foundation.

20. Every person who shall erect a new public building or a new domestic building shall cause every wall of such building to have a proper damp-proof course of sheet lead, asphalte, or slates laid in cement, or of other not less durable material impervious to moisture, beneath the level of the lowest floor, and at a height of not less than *six inches* above the surface of the ground adjoining such wall.

Provided always that where any part of a floor of the lowest storey of such building, not being a cellar adapted and intended to be used for storage purposes only, shall be intended to be below the level of the surface of the ground immediately adjoining the exterior of such storey, and so that the ground will be in contact with the exterior of any wall, he shall cause such storey, or such part thereof as will be so in contact to be constructed with walls impervious to moisture or with hollow walls, constructed in accordance with the requirements of the byelaw in that behalf, and extending from the base of such walls to a height of *six inches* at least above the surface of the ground immediately adjoining the exterior of such storey.

He shall also cause a proper damp-proof course of sheet lead, asphalte, or slates laid in cement, or of other not less durable material impervious to moisture, to be inserted in every such wall at the base of such wall and likewise at a height of *six inches* above the surface of the ground immediately adjoining.

21. For the purposes of the byelaws with respect to the structure of walls of new buildings, the measurement of height of storeys and of height and length of walls shall be determined by the following rules:—

(i.) The height of a storey shall be measured in the case of the lowest storey from the base of the wall, and in the case of any other storey from the level of the upper

surface of the floor of the storey up to the level of the upper surface of the floor of the storey next above it; or if there be no such storey, then up to the highest part of the wall :

(ii.) The height of a wall shall be measured from the base to the highest part of the wall, or in the case of a wall comprising a gable, to half the height of the gable : Provided that in the case of a party wall comprising a gable the measurement shall be from the base of the wall to the level of the base of the gable.

(iii.) Walls shall be deemed to be divided into distinct lengths by return walls. The length of a wall shall be measured from the centre of one return wall to the centre of another, provided that the return walls are external walls, party walls, or cross walls, of the thickness prescribed by the byelaws, and are bonded into the walls so deemed to be divided.

A wall shall not, for the purpose of this rule, be deemed a cross wall unless it is carried up to the top of the wall so deemed to be divided (or in the case of a gable wall to the level of the base of the gable), and unless in each storey the aggregate extent of the vertical faces or elevations of all the recesses and that of all the openings therein, taken together, shall not exceed *one half* of the whole extent of the vertical face or elevation of the wall in such storey.

22. Every person who shall erect a new domestic building shall construct every external wall and every party wall of such building in accordance with the following rules, and in every case the thickness prescribed shall be the minimum thickness of which any such wall may be constructed, and the several rules shall apply only to walls built of good bricks, not less than *nine inches* long, or of suitable stone, or other blocks of hard and incombustible substance, the beds or courses being horizontal.

(a.) Where the wall does not exceed *twenty-five feet* in height its thickness shall be as follows :—

If the wall does not exceed *thirty feet* in length, it shall be *nine inches* thick for its whole height :

If the wall exceeds *thirty feet* in length, it shall be *thirteen and a half inches* thick from the base for the height of the lowest storey, and *nine inches* thick for the rest of its height.

(b.) Where the wall exceeds *twenty-five feet* but does not exceed *thirty feet* in height its thickness shall be as follows :—

If the wall does not exceed *thirty-five feet* in length, it shall be *thirteen and a half inches* thick from the base for the height of one storey, and *nine inches* thick for the rest of its height :

If the wall exceeds *thirty-five feet* in length it shall be *thirteen and a half inches* thick from the base for the height of two storeys, and *nine inches* thick for the rest of its height.

(c.) Where the wall exceeds *thirty feet* but does not exceed *forty feet* in height its thickness shall be as follows :—

If the wall does not exceed *thirty-five feet* in length it shall be *thirteen and a half inches* thick from the base for the height of two storeys, and *nine inches* thick for the rest of its height :

If the wall exceeds *thirty-five feet* in length it shall be *eighteen inches* thick from the base for the height of one storey, then *thirteen and a half inches* thick for the height of two storeys, and *nine inches* thick for the rest of its height.

(d.) Where the wall exceeds *forty feet* but does not exceed *fifty feet* in height its thickness shall be as follows :—

If the wall does not exceed *thirty feet* in length it shall be *eighteen inches* thick from the base for the height of one storey, then *thirteen and a half inches* thick for the height of two storeys, and then *nine inches* thick for the rest of its height :

If the wall exceeds *thirty feet* but does not exceed *forty-five feet* in length it shall be *eighteen inches* thick from the base for the height of two storeys, and *thirteen and a half inches* thick for the rest of its height :

If the wall exceeds *forty-five feet* in length it shall be *twenty-two inches* thick from the base for the height of one storey, then *eighteen inches* thick for the height of the next storey, and then *thirteen and a half inches* thick for the rest of its height.

(e.) Where the wall exceeds *fifty feet* but does not exceed *sixty feet* in height its thickness shall be as follows :—

If the wall does not exceed *forty-five feet* in length it shall be *eighteen inches* thick from the base for the height

of two storeys and *thirteen and a half inches* thick for the rest of its height :

If the wall exceeds *forty-five feet* in length it shall be *twenty-two inches* thick from the base for the height of one storey, then *eighteen inches* thick for the height of the next two storeys, and then *thirteen and a half inches* thick for the rest of its height.

(f.) Where the wall exceeds *sixty feet* but does not exceed *seventy feet* in height its thickness shall be as follows :—

If the wall does not exceed *forty-five feet* in length it shall be *twenty-two inches* thick from the base for the height of one storey, then *eighteen inches* thick for the height of the next two storeys, and then *thirteen and a half inches* thick for the rest of its height :

If the wall exceeds *forty-five feet* in length it shall be increased in thickness in each of the storeys below the uppermost two storeys by *four and a half inches* (subject to the provision herein-after contained respecting distribution in piers).

(g.) Where the wall exceeds *seventy feet* but does not exceed *eighty feet* in height its thickness shall be as follows :—

If the wall does not exceed *forty-five feet* in length it shall be *twenty-two inches* thick from the base for the height of one storey, then *eighteen inches* thick for the height of the next three storeys, and then *thirteen and a half inches* thick for the rest of its height :

If the wall exceeds *forty-five feet* in length it shall be increased in thickness in each of the storeys below the uppermost two storeys by *four and a half inches* (subject to the provision herein-after contained respecting distribution in piers).

(h.) Where the wall exceeds *eighty feet* but does not exceed *ninety feet* in height its thickness shall be as follows :—

If the wall does not exceed *forty-five feet* in length it shall be *twenty-six inches* thick from the base for the height of one storey, then *twenty-two inches* thick for the height of the next storey, then *eighteen inches* thick for the height of the next three storeys, and then *thirteen and a half inches* thick for the rest of its height :

If the wall exceeds *forty-five feet* in length it shall be increased in thickness in each of the storeys below the

uppermost two storeys by *four and a half inches* (subject to the provision herein-after contained respecting distribution in piers).

(i.) Where the wall exceeds *ninety feet* but does not exceed *one hundred feet* in height its thickness shall be as follows :—

If the wall does not exceed *forty-five feet* in length it shall be *twenty-six inches* thick from the base for the height of one storey, then *twenty-two inches* thick for the height of the next two storeys, then *eighteen inches* thick for the height of the next three storeys, and then *thirteen and a half inches* thick for the rest of its height :

If the wall exceeds *forty-five feet* in length it shall be increased in thickness in each of the storeys below the uppermost two storeys by *four and a half inches* (subject to the provision herein-after contained respecting distribution in piers).

Provided that notwithstanding anything contained in the foregoing rules (a.) to (i.) inclusive,

(i.) every external and party wall of any storey which measured from the level of the floor of that storey to the level of the floor of the storey next above it, if any, exceeds *eleven feet* in height shall be not less than *thirteen and a half inches* in thickness ; and

(ii.) If any storey exceeds in height *sixteen* times the thickness hereinbefore prescribed for its walls, the thickness of each external and party wall throughout that storey shall be increased to *one sixteenth* part of the height of the storey, and the thickness of each external wall and of each party wall below that storey shall be proportionately increased (subject to the provision herein-after contained respecting distribution in piers).

Provided further that where in accordance with the requirements of this byelaw an increase of thickness is required in the case of a wall exceeding *sixty feet* in height and *forty-five feet* in length or in the case of a storey exceeding in height *sixteen* times the thickness prescribed for its walls, or in the case of a wall below that storey, the increased thickness may be confined to piers properly distributed, of which the collective widths amount to *one fourth* part of the length of the wall. The width of the piers may nevertheless be reduced if the projection is proportionately increased, the horizontal sectional area

not being diminished ; but the projection of any such pier shall in no case exceed *one third* of its width.

23. Every person who shall erect a new public building or a new building of the warehouse class shall construct every external wall and every party wall of such building in accordance with the following rules ; and in every case the thickness prescribed shall be the minimum thickness of which any such wall may be constructed, and the several rules shall apply only to walls built of good bricks, not less than *nine inches* long, or of suitable stone or other blocks of hard and incombustible substance, the beds or courses being horizontal.

(a.) Where the wall does not exceed *twenty-five feet* in height (whatever is its length) it shall be *thirteen and a half inches* thick at its base.

(b.) Where the wall exceeds *twenty-five feet* but does not exceed *thirty feet* in height it shall be at its base of the thickness following :—

If the wall does not exceed *forty-five feet* in length it shall be *thirteen and a half inches* thick at its base :

If the wall exceeds *forty-five feet* in length it shall be *eighteen inches* thick at its base.

(c.) Where the wall exceeds *thirty feet* but does not exceed *forty feet* in height it shall be at its base of the thickness following :—

If the wall does not exceed *thirty-five feet* in length it shall be *thirteen and a half inches* thick at its base :

If the wall exceeds *thirty-five feet* but does not exceed *forty-five feet* in length it shall be *eighteen inches* thick at its base :

If the wall exceeds *forty-five feet* in length it shall be *twenty-two inches* thick at its base.

(d.) Where the wall exceeds *forty feet* but does not exceed *fifty feet* in height it shall be at its base of the thickness following :—

If the wall does not exceed *thirty feet* in length it shall be *eighteen inches* thick at its base :

If the wall exceeds *thirty feet* but does not exceed *forty-five feet* in length it shall be *twenty-two inches* thick at its base :

If the wall exceeds *forty-five feet* in length it shall be *twenty-six inches* thick at its base.

(e.) Where the wall exceeds *fifty feet* but does not exceed *sixty feet* in height it shall be at its base of the thickness following :—

If the wall does not exceed *forty-five feet* in length it shall be *twenty-two inches* thick at its base :

If the wall exceeds *forty-five feet* in length it shall be *twenty-six inches* thick at its base.

(f.) Where the wall exceeds *sixty feet* but does not exceed *seventy feet* in height it shall be at its base of the thickness following :—

If the wall does not exceed *forty-five feet* in length it shall be *twenty-two inches* thick at its base :

If the wall exceeds *forty-five feet* in length it shall be increased in thickness from the base up to within *sixteen feet* from the top of the wall by *four and a half inches* (subject to the provision herein-after contained respecting distribution in piers).

(g.) Where the wall exceeds *seventy feet* but does not exceed *eighty feet* in height it shall be at its base of the thickness following :—

If the wall does not exceed *forty-five feet* in length it shall be *twenty-two inches* thick at its base :

If the wall exceeds *forty-five feet* in length it shall be increased in thickness from the base up to within *sixteen feet* from the top of the wall by *four and a half inches* (subject to the provision herein-after contained respecting distribution in piers).

(h.) Where the wall exceeds *eighty feet* but does not exceed *ninety feet* in height it shall be at its base of the thickness following :—

If the wall does not exceed *forty-five feet* in length it shall be *twenty-six inches* thick at its base :

If the wall exceeds *forty-five feet* in length it shall be increased in thickness from the base up to within *sixteen feet* from the top of the wall by *four and a half inches* (subject to the provision herein-after contained respecting distribution in piers).

(i.) Where the wall exceeds *ninety feet* but does not exceed *one hundred feet* in height it shall be at its base of the thickness following :—

If the wall does not exceed *forty-five feet* in length it shall be *twenty-six inches* thick at its base :

If the wall exceeds *forty-five feet* in length it shall be increased in thickness from the base up to within *sixteen feet* from the top of the wall by *four and a half inches* (subject to the provision herein-after contained respecting distribution in piers).

(j.) The thickness of the wall at the top, and for *sixteen feet* below the top, shall be *thirteen and a half inches*, and the intermediate parts of the wall between the base and *sixteen feet* below the top shall be built solid throughout the space between straight lines drawn on each side of the wall and joining the thickness at the base to the thickness at *sixteen feet* below the top. Nevertheless, a wall not exceeding *thirty feet* in height may be *nine inches* thick at the top and for *eleven feet* below the top.

Provided that notwithstanding anything contained in the fore-going rules (a.) to (j.) inclusive,

(i.) every external and party wall of any storey which measured from the level of the floor of that storey to the level of the floor of the storey next above it, if any, exceeds *eleven feet* in height shall be not less than *thirteen and a half inches* in thickness ; and

(ii.) if any storey exceeds in height *fourteen* times the thickness hereinbefore prescribed for its walls the thickness of each external and party wall throughout that storey shall be increased to *one fourteenth* part of the height of the storey, and the thickness of each external wall and of each party wall below that storey shall be proportionately increased (subject to the provision herein-after contained respecting distribution in piers).

Provided further that where in accordance with the requirements of this byelaw an increase of thickness is required in the case of a wall exceeding *sixty feet* in height and *forty-five feet* in length, or in the case of a storey exceeding in height *fourteen* times the thickness prescribed for its walls, or in the case of a wall below that storey, the increased thickness may be confined to piers properly distributed, of which the collective widths amount to *one fourth* part of the length of the wall. The width

of the piers may nevertheless be reduced if the projection is proportionately increased, the horizontal sectional area not being diminished; but the projection of any such pier shall in no case exceed *one third* of its width.

24. Every person who shall erect a new building shall construct in accordance with the following rules, every cross wall which, in pursuance of the byelaw in that behalf, may, as a return wall, be deemed a means of determining the length of any external wall or party wall of such building; and in every case the thickness prescribed shall be the minimum thickness of which any such wall may be constructed; and the several rules shall apply only to walls built of good bricks, not less than *nine inches* long, or of suitable stone or other blocks of hard and incombustible substance, the beds or courses being horizontal:—

The thickness of every such cross wall shall be at least *two thirds* of the thickness prescribed by the byelaw in that behalf for an external wall or party wall of the same height and length and belonging to the same class of building as that to which such cross wall belongs, but shall in no case be less than *nine inches*:—

But if such cross wall supports a superincumbent external wall the whole of such cross wall shall be of the thickness prescribed by the byelaw in that behalf for an external wall or a party wall of the same height and length and belonging to the same class of building as that to which such cross wall belongs.

25. Every person who shall erect a new building and shall construct any external wall, party wall, or cross wall of such building of any material other than good bricks not less than *nine inches* long or suitable stone or other blocks of hard and incombustible substance, the beds or courses being horizontal, shall comply with the following rules with respect to the thickness of such wall:—

(a.) Where a wall is built of stone or of clunches of bricks, or other burnt or vitrified material, the beds or courses not being horizontal, or of flintwork, the thickness of such wall shall be *one-third* greater than that prescribed by the byelaw in that behalf for a wall built of bricks, but in other respects of the same description, height, and length, and belonging to the same class of building:

(b.) A wall built of brickwork and flintwork, in which the proportion of brickwork is equal to at least *one-fifth* of

the entire content of the wall and is properly distributed in piers and horizontal courses, or of half-timber work, or of other suitable material not specifically mentioned in this byelaw, shall be deemed to be of sufficient thickness if constructed of the thickness prescribed by the byelaw in that behalf for a wall built of bricks, but in other respects of the same description, height, and length, and belonging to the same class of building.

Provided always that this byelaw shall not be deemed to apply to any part of an external wall of a new building which may, in accordance with the provisions of the byelaw in that behalf, be constructed of timber-framing covered with tiles, slates or other suitable incombustible material.

26. Every person who shall erect a new building and shall leave in any storey or storeys of such building an extent of opening in any external wall which shall be greater than *one half* of the whole extent of the vertical face or elevation of the wall or walls of the storey or storeys in which the opening is left shall construct—

(a.) Sufficient piers of brickwork or other sufficient supports of incombustible material so disposed as to carry the superstructure ; and

(b.) A sufficient pier or piers or other sufficient supports of that description at or within *three feet* of the corner or angle of the building.

27. Every person who shall erect a new public building, a new building of the warehouse class, or a new domestic building which may be intended to be used wholly or partly as a shop or as a place of habitual employment for any person in any manufacture, trade, or business, or which may be intended to be used exclusively as a dwelling-house and may exceed *thirty feet* in height, shall cause such part of any external wall of such building as is within a distance of *fifteen feet* from any other building to be carried up so as to form a parapet *one foot* at least above the highest part of any roof or gutter which adjoins such part of such external wall, and he shall cause the thickness of the parapet so carried up to be at least *nine inches* throughout.

28. (A.) (1.) Every person who shall erect a new public building, a new building of the warehouse class or a new domestic building which may be intended to be used wholly or partly as a shop or as a place of habitual

employment for any person in any manufacture, trade, or business, or which may be intended to be used exclusively as a dwelling-house and may exceed *thirty feet* in height, shall cause every party wall of such building to be carried up *nine inches* at the least in thickness :—

(a.) Above the roof, flat, or gutter of the highest building adjoining thereto to such height as will give, in the case of a public building or of a building of the warehouse class, a distance of at least *three feet*, and, in the case of any such domestic building as is hereinbefore described, a distance of at least *fifteen inches* measured at right angles to the slope of the roof, or above the highest part of any flat or gutter, as the case may be :

(b.) Above any turret, dormer, lantern-light, or other erection of combustible materials fixed on the roof or flat of any building within *four feet* from the party wall, and so as to extend at least *twelve inches* higher and wider on each side than such erection :

(c.) To a height of *twelve inches* at the least above such part of any roof as is opposite to and within *four feet* from the party wall.

In every case where the eaves of the roof project beyond the face of the building, he shall cause every party wall of such building to be properly corbelled out, in brick-work, or stone-work, to the full extent of such projection, and to be carried up above the projecting eaves, *nine inches* at the least in thickness, to such height as will give, in the case of a public building or of a building of the warehouse class, a distance of at least *three feet*, and, in the case of any such domestic building as is hereinbefore described, a distance of at least *fifteen inches* measured at right angles to the slope of the roof.

(2.) Every person who shall erect a new domestic building which may be intended to be used exclusively as a dwelling-house and may not exceed *thirty feet* in height, or which may be intended to be used as an office building or other outbuilding appurtenant to a dwelling-house whether attached thereto or not, shall cause every party wall of such building to be carried up at least as high as the underside of the slates or other covering of the roof of such building ; and if such party wall be carried up only to the underside of such slates or other covering, he shall cause such slates or other covering to be properly and solidly bedded in mortar or cement on the top of the wall.

He shall also cause the roof to be so constructed that no lath, timber, or woodwork of any description shall extend upon or across any part of such wall.

(3.) For the purposes of this byelaw, the height of a building shall be measured upwards from the top of the footings of the walls thereof to the level of half the vertical height of the roof or to the top of the parapet whichever may be the higher.

28. (B.)* Every person who shall erect a new building shall cause every party wall of such building to be carried up at least as high as the underside of the slates or other covering of the roof of such building ; and if such party wall be carried up only to the underside of such slates or other covering, he shall cause such slates or other covering to be properly and solidly bedded in mortar or cement on the top of the wall.

He shall also cause the roof to be so constructed that no lath, timber, or woodwork of any description shall extend upon or across any part of such wall.

29. Every person who shall erect a new building shall cause every wall of such building, when carried up above any roof, flat, or gutter, so as to form a parapet, to be properly coped or otherwise protected, in order to prevent water from running down the sides of such parapet, or soaking into any wall.

30. A person who shall erect a new building shall not construct any party wall of such building so that any opening shall be made or left in such wall.

31. A person who shall erect a new building shall not make any recess in any external wall or party wall of such building :—

(a.) Unless the back of such recess be at the least *nine inches* thick ;

(b.) Unless a sufficient arch be turned or a lintel of incombustible material placed in every storey over every such recess ;

(c.) Unless in each storey the aggregate extent of recesses having backs of less thickness than the thickness prescribed by any byelaw in that behalf for the wall in which such recesses are made do not exceed *one half* of the extent of the vertical superficies of such wall ;

* Where the preceding Clause is adopted this Clause should be omitted.

(d.) Unless the side of any such recess nearest to the inner face of any return external wall is distant at the least *thirteen and a half inches* therefrom.

32. A person who shall erect a new building shall not make in any wall of such building any chase which shall be wider than *fourteen inches* or more than *four and a half inches* deep from the face of such wall, or shall leave less than *nine inches* in thickness at the back or opposite side thereof, or which shall be within *thirteen and a half inches* from any other chase, or within *seven feet* from any other chase on the same side of such wall, or within *thirteen and a half inches* from any return wall.

33. A person who shall erect a new building shall not place in any party wall of such building any bond timber, or any wood plate.

34. A person who shall erect a new building shall not place the end of any wooden bressummer, beam, or joist in any party wall of such building, unless the end of such bressummer, beam, or joist be at least *four and a half inches* distant from the centre line of such party wall.

Provided always that in the case of a party wall not exceeding *nine inches* in thickness such person may place the end of any such bressummer, beam, or joist so that it may extend to the centre line of such party wall if the end of such bressummer, beam, or joist be incased in not less than *four and a half inches* of solid brickwork or other solid and incombustible material.

35. Every person who shall erect a new building shall cause every bressummer to be borne by a sufficient template of stone, iron, terra-cotta, or vitrified stoneware of the full breadth of the bressummer, and to have a bearing in the direction of its length of *four inches* at least at each end.

He shall also, if necessary, cause such bressummer to have such storey posts, iron columns, stanchions, or piers of brick or stone on a solid foundation under the same as may be sufficient to carry the superstructure.

36. Every person who shall erect a new building shall, except in such case as is hereinafter provided, cause every chimney of such building to be built on solid foundations and with footings similar to the footings of the wall against which such chimney is built, and to be properly bonded into such wall :

Provided, nevertheless, that such person may cause any chimney of such building to be built on a metal girder, or on sufficient corbels of brick, stone, or other hard and

incombustible materials if the work so corbelled out does not project from the wall more than the thickness of the wall measured immediately below the corbel.

37. Every person who shall erect a new building shall cause the inside of every flue of such building to be properly rendered or pargeted as such flue is carried up, unless the whole flue shall be lined with fireproof piping of stoneware at least *one inch* thick, and unless the spandril angles shall be filled in solid with brickwork or other incombustible material.

Such person shall also cause the back or outside of such flue, which shall not be constructed so as to form part of the outer face of an external wall, to be properly rendered in every case where the brickwork of which such back or outside may be constructed is less than *nine inches* thick.

38. Every person who shall erect a new building shall cause every flue in such building which may be intended for use in connexion with any furnace, cockle, steam boiler, or close-fire, constructed for any purpose of trade, business or manufacture or which may be intended for use in connexion with any cooking range or cooking apparatus of such building when occupied as a hotel, tavern, or eating house, to be surrounded with brickwork or other solid and incombustible material at least *nine inches* thick for a distance of *ten feet* at the least in height from the floor on which such furnace, cockle, steam boiler, close-fire, cooking range, or cooking apparatus may be constructed or placed.

39. Every person who shall erect a new building shall cause a sufficient arch of brick or stone, or a sufficient stone lintel, or a sufficient bar of wrought iron to be built over the opening of every chimney of such building to support the breast of such chimney; and if the breast projects more than *four and a half inches* from the face of the wall, and the jamb on either side is of less width than *thirteen and a half inches*, he shall cause the abutments to be tied in by a bar or bars of wrought iron of sufficient strength, *eighteen inches* longer than the opening, turned up and down at the ends, and built into the jambs on each side.

40. Every person who shall erect a new building shall cause the jambs of every chimney of such building to be at least *nine inches* wide on each side of the opening of such chimney.

41. Every person who shall erect a new building shall cause the breast of every chimney of such building and the brickwork or stonework surrounding every smoke flue and every copper flue of such building to be at least *four and a half inches* in thickness.

42. Every person who shall erect a new building shall cause the back of any chimney opening in a party wall and the back of the flue connected therewith in any room which may be constructed for occupation as a kitchen to be at least *nine inches* thick to the height of at least *nine feet* above the hearth.

Such person shall cause the back of every other chimney opening in such building, from the hearth up to the height of *twelve inches* above such opening, to be at least *four and a half inches* thick in the case of an external wall, and *nine inches* thick in the case of any other wall.

43. Every person who shall erect a new building shall cause the upper side of every flue of such building, when the course of such flue makes with the horizon an angle of less than *forty-five* degrees, to be at least *nine inches* in thickness.

44. Every person who shall erect a new building shall cause every chimney shaft or smoke flue of such building to be carried up in brickwork or stonework all round at least *four and a half inches* thick to a height of not less than *three feet* above the roof, flat or gutter adjoining thereto, measured at the highest point in the line of junction with such roof, flat or gutter.

45. A person who shall erect a new building shall not cause the brickwork or stonework of any chimney shaft of such building, other than a chimney shaft of the furnace of any steam engine, brewery, distillery, or manufactory, to be built higher above the roof, flat or gutter adjoining such chimney shaft, measured from the highest point in the line of junction with such roof, flat, or gutter, than a height equal to *six* times the least width of such chimney shaft at the level of such highest point, unless such chimney shaft shall be built with and bonded to another chimney shaft not in the same line with such first-mentioned chimney shaft, or shall be otherwise made secure.

46. A person who shall erect a new building shall not place any iron holdfast or other metal fastening nearer than *two inches* to the inside of any flue or chimney opening in such building.

47. A person who shall erect a new building shall not place any timber or woodwork :—

(a.) In any wall or chimney breast of such building nearer than *nine inches* to the inside of any flue or chimney opening :

(b.) Under any chimney opening of such building within *ten inches* from the upper surface of the hearth thereof.

A person who shall erect a new building shall not drive any wooden plug into any wall or chimney breast of such building nearer than *six inches* to the inside of any flue or chimney opening.

48. Every person who shall erect a new building shall cause the face of the brickwork or stonework about any flue or chimney opening of such building, where such face is at a distance of less than *two inches* from any timber or woodwork, and where the substance of such brickwork or stonework is less than *nine inches* thick, to be properly rendered.

49. A person who shall erect a new building shall not construct any chimney or flue of such building so as to make or leave in such chimney or flue any opening for the insertion of any ventilating valve, or for any other purpose, unless such opening be at least *nine inches* distant from any timber or other combustible substance.

50. A person who shall erect a new building shall not fix in such building any pipe for the purpose of conveying smoke or other products of combustion, unless such pipe be so fixed at the distance of *nine inches* at the least from any combustible substance.

51. Every person who shall erect a new building shall cause the flat and roof of such building, and every turret, dormer, lantern-light, skylight, or other erection placed on the flat or roof of such building to be externally covered with slates, tiles, metal, or other incombustible materials, except as regards any door, door frame, window or window frame of any such turret, dormer, lantern-light, skylight, or other erection.

With respect to the sufficiency of the space about buildings to secure a free circulation of air, and with respect to the ventilation of buildings.

52. Every person who shall erect a new domestic building intended to be used wholly or partly for human

habitation shall provide in front of such building an open space, which, measured to the boundary of any lands or premises immediately opposite, or to the opposite side of any street upon which such building may front, shall, throughout the whole line of frontage of such building, extend to a distance of *twenty-four feet* at the least ; such distance being measured in every case at right angles to the external face of any wall of such building which shall front or abut on such open space.

Provided that where such building is intended to front on a street laid out before the confirmation of these byelaws, and of a less width than *twenty-four feet*, the person who shall erect such building shall provide in front thereof an open space, which measured to the opposite side of such street throughout the whole line of frontage of such building, shall extend to a distance equal at least to the width of such street, together with one-half of the difference between such width and *twenty-four feet*.

Any open space provided in pursuance of this byelaw shall be free from any erection thereon above the level of the ground, except any portico, porch, step, or other like projection from such building, or any gate, fence, or wall not exceeding *seven feet* in height.

A person who shall make any alteration in or addition to any building or who shall erect any new building shall not, by such alteration, addition or erection diminish the extent of open space provided in pursuance of this byelaw in connexion with a building, or in any other respect fail to comply with any provision of this byelaw.

53. (1.) Every person who shall erect a new domestic building intended to be used wholly or partly for human habitation shall provide in the rear of such building an open space exclusively belonging to such building, and of an aggregate extent of not less than *one hundred and fifty square feet*, and free from any erection thereon above the level of the ground, except a watercloset, earthcloset, or privy, and an ashpit, constructed respectively in accordance with the byelaws in that behalf.

He shall cause such open space to extend throughout the entire width of such building, and he shall cause the distance across such open space from every part of such building to the boundary of any lands or premises immediately in the rear of the site of such building, to be not less in any case than *ten feet*,

If the height of such building is not less than *fifteen feet* but is less than *twenty-five feet* he shall cause such distance to be *fifteen feet* at the least.

If the height of such building is not less than *twenty-five feet* but is less than *thirty-five feet* he shall cause such distance to be *twenty feet* at the least.

If the height of such building is not less than *thirty-five feet* he shall cause such distance to be *twenty-five feet* at the least.

In any case where by reason of the exceptional shape of the site of such building the minimum distance across the open space required by this byelaw cannot be obtained throughout the entire width of such building, it shall suffice if the mean distance across such open space be not less than the minimum distance so required.

Provided that—

(i.) where it is intended to erect any such new domestic building on a site abutting on two or more streets ; or

(ii.) where it is intended to re-erect any such domestic building in a street laid out before the confirmation of these byelaws ;

and it is impracticable to comply with the preceding requirements of this byelaw, the said requirements shall be deemed to be satisfied by the provision at the rear or on one side of the site other than the front of such building of an open space exclusively belonging to such building of an extent of at least *one hundred and fifty square feet*, or, in the case of a re-erection of a domestic building, of an extent not less than that of any open space previously provided in connection with such building and in no case less than *one hundred square feet*, which shall be free from any erection thereon except a watercloset or earth-closet and an ashpit, and subject to the following conditions :—

(a.) The open space shall extend throughout at least *ten feet* of the width or depth of such building and the mean distance across such open space measured from the opposite part of such building, to the nearest boundary of any street, lands, or premises immediately adjoining such open space shall be in no case less than *ten feet* ; and

(b.) if the said open space does not abut on a street it shall be connected with a street by means of a passage or other similar opening so arranged as to be capable at all times of affording a free circulation of air between the open space and such street.

(2.) Every person who shall erect a new domestic building intended and adapted to be used exclusively as a stable shall provide an open space adjoining and exclusively belonging thereto of an aggregate extent of not less than *one hundred and fifty square feet*, and free from any erection thereon above the level of the ground except a suitably constructed receptacle for dung.

(3.) A person who shall make any alteration in or addition to any building, or who shall erect any new building, shall not, by such alteration, addition, or erection diminish the extent of open space provided in pursuance of this byelaw in connexion with a building, or in any other respect fail to comply with any provision of this byelaw.

(4.) For the purposes of this bye-law the height of a building shall be measured from the level of the ground over which such open space shall extend to half the vertical height of the roof, or to the top of the parapet, whichever may be the higher.

54. Every person who shall erect a new domestic building shall construct in the wall of each storey of such building which shall immediately front or abut on such open spaces as, in pursuance of the byelaws in that behalf, shall be provided in connexion with such building, a sufficient number of suitable windows, in such a manner and in such a position that each of such windows shall afford effectual means of ventilation by direct communication with the external air.

55. Every person who shall erect a new domestic building shall so construct every room which shall be situated in the lowest storey of such building, and shall be provided with a boarded floor, that there shall be, for the purpose of ventilation between the under side of every joist on which such floor may be laid, and the upper surface of the asphalte or concrete with which, in pursuance of the byelaw in that behalf, the ground surface or site of such building may be covered, a clear space of *three inches* at the least in every part, and he shall cause such space to be thoroughly ventilated by means of suitable and sufficient air-bricks, or by some other effectual method.

Provided that the foregoing requirement shall not apply in the case of a room provided with a solid floor composed of boards, planks or wood blocks, laid or bedded directly upon concrete or other similar dry and impervious foundation,

56. Every person who shall erect a new building shall construct in every habitable room of such building one window, at the least, opening directly into the external air, and he shall cause the total area of such window, or, if there be more than one, of the several windows, clear of the sash frames, to be equal at the least to *one tenth* of the floor area of such room.

Such person shall also construct every such window so that *one half*, at the least, may be opened, and so that the opening may extend in every case to the top of the window.

57. Every person who shall erect a new domestic building shall cause every habitable room of such building which is without a fireplace, and a flue properly constructed and properly connected with such fireplace, to be provided with special and adequate means of ventilation by a sufficient aperture or air shaft which shall provide an unobstructed sectional area of *one hundred square inches* at the least.

58. Every person who shall erect a new public building shall cause such building to be provided with adequate means of ventilation.

With respect to the drainage of buildings.

59. Every person who shall erect a new building shall cause the subsoil of the site of such building to be effectually drained by means of suitable earthenware field pipes, properly laid to a suitable outfall, wherever the dampness of the site renders such a precaution necessary.

He shall not lay any such pipe in such a manner or in such a position as to communicate directly with any sewer or cesspool, or with any drain constructed or adapted to be used for conveying sewage, but shall provide a suitable trap, with a ventilating opening, at a point in the line of the subsoil drain as near as may be practicable to such trap.

60. Every person who shall erect a new building shall, for the purpose of carrying from the roof or flat of such building all water which may fall thereon, cause suitable and sufficient pipes or trunks extending from the roof or flat to the ground, to be fixed to the front or rear or to one of the sides of such building, and to be connected with gutters, shoots or troughs which shall be provided,

constructed and fixed in such a manner and in such a situation as to receive all water that may fall on the roof or flat without causing dampness in any part of any wall or foundation of such building.

61. Every person who shall erect a new building shall construct the lowest storey of such building at such level as will allow of the construction of a drain sufficient for the effectual drainage of such building, and of the provision of the requisite communication with any sewer into which such drain may lawfully empty, at a point in the upper half diameter of such sewer, or with any other means of drainage with which such drain may lawfully communicate.

Provided that this byelaw shall not be deemed to apply to a cellar intended for storage purposes only and constructed in a dry soil or so as to be impervious to water.

62.—(1.) Every person who shall erect a new building shall, in the construction of every drain of such building, other than a drain constructed in pursuance of the byelaw in that behalf for the drainage of the subsoil of the site of such building, use good sound pipes formed of glazed stoneware, heavy cast iron or other equally suitable material.

(2.) He shall cause such drain to be of adequate size, and, if constructed or adapted to be used for conveying sewage, to have an internal diameter not less than *four inches*, and to be laid with a proper fall, and with socketed or other suitable water-tight joints.

(3.) If he shall construct such drain of iron pipes, he shall cause such drain to be properly supported on suitable and sufficient piers or other suitable and sufficient supports, or to be laid in a bed of good concrete.

(4.) If he shall construct such drain otherwise than of iron pipes, he shall cause such drain to be laid in a bed of good concrete.

(5.) He shall not construct such drain so as to pass under any building, except in any case where any other mode of construction may be impracticable.

If he shall construct such drain so as to pass under any building, he shall cause such drain to be so laid in the ground that there shall be a distance equal at the least to the full diameter thereof between the top of such drain at its highest point and the surface of the ground under such building.

He shall also cause such drain to be laid in a direct line for the whole distance beneath such building, and if constructed otherwise than of iron pipes to be completely embedded in and covered with good and solid concrete, at least *six inches* thick, all round.

He shall likewise cause adequate means of access to be provided in connection with such drain at each end of such portion thereof as is beneath such building.

(6.) He shall cause every inlet to such drain, not being an inlet provided in pursuance of the byelaw in that behalf as an opening for the ventilation of such drain, to be properly trapped.

63. Every person who shall erect a new building shall provide, within the curtilage thereof, in every main drain or other drain of such building which may directly communicate with any sewer or other means of drainage into which such drain may lawfully empty, a suitable trap at a point as distant as may be practicable from such building and as near as may be practicable to the point at which such drain may be connected with such sewer or other means of drainage.

He shall provide in connexion with such trap proper means of access for the purpose of cleansing.

64. A person who shall erect a new building shall not construct the several drains of such building in such a manner as to form in such drains any right-angled junction. He shall cause every branch drain or tributary drain to join another drain obliquely in the direction of the flow of such drain.

65. Every person who shall erect a new building shall, for the purpose of securing efficient ventilation of the several drains of such building constructed or adapted to be used for conveying sewage, comply with the following requirements :—

(i.) He shall provide at least two untrapped openings to such drains, of which openings one shall be situated as near as may be practicable to the trap which, in pursuance of the byelaw in that behalf, shall be provided between the main drain or other drain of the building, and the sewer or other means of drainage with which such drain may lawfully communicate, and on that side of the trap which is the nearer to the building ; and the second opening shall be as far distant as may be practicable from the point at which the first-mentioned opening shall be situated.

One of the aforesaid openings shall be at or near the level of the surface of the ground adjoining such opening, and shall communicate with the drains by means of a suitable pipe, shaft, or disconnecting chamber.

The other opening shall be obtained by carrying up a pipe or shaft, vertically, to such a height and in such a manner as effectually to prevent any escape of foul air, from such pipe or shaft into any building in the vicinity thereof, and in no case to a less height than *ten feet*.

Provided always, that the soil pipe of any water-closet, in every case where the situation, sectional area, height, and mode of construction of such soil pipe shall be in accordance with the requirements applicable to the pipe or shaft to be carried up from the drains, may be deemed to provide the necessary opening for ventilation which would otherwise be obtained by means of such last-mentioned pipe or shaft.

(ii.) He shall cause every opening provided in accordance with the arrangements hereinbefore specified to be furnished with a suitable grating or other suitable cover for the purpose of preventing any obstruction in or injury to any pipe or drain by the introduction of any substance through any such opening. He shall, in every case, cause such grating or cover to be so constructed and fitted as to secure the free passage of air through such grating or cover by means of a sufficient number of apertures, of which the aggregate extent shall be not less than the sectional area of the pipe or drain to which such grating or cover may be fitted.

(iii.) Every pipe or shaft which may be used in connexion with the arrangements hereinbefore specified shall be of a sectional area not less than that of the drain with which such pipe or shaft may communicate, and not less in any case than the sectional area of a pipe or shaft of the diameter of *four inches*.

(iv.) No bend or angle shall (except where unavoidable) be formed in any pipe or shaft used in connexion with the arrangements herein-before specified.

(v.) Provided always, that where a watercloset shall be constructed so as not to have any internal communication with any building, and where the distance between the watercloset and the trap which, in pursuance of the bye-law in that behalf, shall be provided between the drain with which such watercloset communicates, and the sewer

or other means of drainage into which such drain may lawfully empty, shall be not more than *ten feet*, or shall be more than *ten feet* and not more than *thirty feet*, the following provisions shall have effect, that is to say :—

(a.) Where such distance shall be not more than *ten feet*, the requirements of this bye-law shall not apply to the case.

(b.) Where such distance shall be more than *ten feet* but shall not be more than *thirty feet*, an opening shall be obtained by carrying up from a point in the drain with which the watercloset communicates, as far distant as may be practicable from the trap, which, in pursuance of the byelaw in that behalf, shall be provided between such drain and the sewer or other means of drainage into which it may lawfully empty, a pipe or shaft, vertically to such a height and in such a manner as effectually to prevent any escape of foul air from such pipe or shaft into any building in the vicinity thereof, and in no case to a less height than *ten feet*, and such pipe or shaft shall be of a sectional area not less than that of the drain with which it may communicate, and not less in any case than the sectional area of a pipe or shaft of the diameter of *four inches*.

66. A person who shall erect a new building shall not construct any drain of such building in such a manner as to allow any inlet to such drain (except such inlet as may be necessary from the apparatus of any watercloset or any slop sink constructed or adapted to be used for receiving within such building any solid or liquid filth) to be made within such building.

He shall cause the soil pipe from every watercloset in such building to be at least *four inches* in diameter.

He shall cause such soil pipe and the waste pipe from every such slop sink to be fixed outside such building, and to be continued upwards without diminution of its diameter, and (except where unavoidable) without any bend or angle being formed in such soil pipe or waste pipe to such a height and in such a position as to afford, by means of the open end of such soil pipe or waste pipe, an outlet for foul air, at a safe distance from windows, chimneys, and other openings.

He shall so construct such soil pipe that there shall not be any trap between such soil pipe and the drains, or any trap (other than such as may necessarily form part of the apparatus of any watercloset) in any part of such soil pipe.

He shall also cause the waste pipe from every bath, sink (not being a slop sink constructed or adapted to be used for receiving any solid or liquid filth), or lavatory, and every pipe in such building for carrying off foul waste water to be properly trapped and to be taken through an external wall of such building, and to discharge in the open air over a channel leading to a trapped gully with a proper grating, or over such a gully, or into such a gully beneath the grating but above the level of the water in the trap thereof.

He shall cause the overflow pipe from any cistern and from every safe under any bath or watercloset to be taken through an external wall of such building and to discharge in the open air.

With respect to waterclosets, earthclosets, privies, ashpits, and cesspools in connexion with buildings.

67. Every person who shall construct a watercloset or earthcloset in a building shall construct such watercloset or earthcloset in such a position that one of its sides at the least shall be an external wall.

68. Every person who shall construct a watercloset or earthcloset within a building shall construct in one of the walls of such watercloset or earthcloset a window of not less dimensions than *two feet by one foot*, exclusive of the frame, and opening directly into the external air.

He shall, in addition to such window, cause such watercloset or earthcloset to be provided with adequate means of constant ventilation by at least one air-brick built in an external wall of such watercloset or earthcloset, or by an air shaft, or by some other effectual method or appliance.

69. Every person who shall construct a watercloset or an earthcloset in connexion with but not within a building shall provide such watercloset or earthcloset with a sufficient opening for light and ventilation, as near to the top as convenient, and communicating directly with the external air.

70. Every person who shall construct a watercloset in connexion with a building shall furnish such watercloset with a separate cistern or flushing box of adequate capacity, which shall be so constructed, fitted, and placed as to admit of the supply of water for use in such watercloset without any direct connection between any service

pipe upon the premises and any part of the apparatus of such watercloset, other than such cistern or flushing box.

He shall furnish such watercloset with a suitable apparatus for the effectual application of water to any pan, basin, or other receptacle with which such apparatus may be connected and used, and for the effectual flushing and cleansing of such pan, basin, or other receptacle, and for the prompt and effectual removal therefrom of any solid or liquid filth which may from time to time be deposited therein.

He shall furnish such watercloset with a pan, basin, or other suitable receptacle of non-absorbent material, and of such shape, of such capacity, and of such mode of construction as to receive and contain a sufficient quantity of water, and to allow the filth which may from time to time be deposited in such pan, basin, or receptacle to fall free of the sides thereof, and directly into the water received and contained in such pan, basin, or receptacle.

He shall not construct or fix under such pan, basin, or receptacle any "container" or other similar fitting.

He shall not construct or fix in or in connexion with the watercloset apparatus any trap of the kind known as a "D" trap.

71. Every person who shall construct an earthcloset in connexion with a building shall furnish such earthcloset with a reservoir of suitable construction and of adequate capacity, for dry earth or other deodorizing substance, and he shall construct and fix such reservoir in such a manner and in such a position as to admit of ready access to such reservoir for the purpose of depositing therein the necessary supply of dry earth or other deodorizing substance.

He shall construct or fix in connexion with such reservoir suitable means or apparatus for the frequent and effectual application of a sufficient quantity of dry earth or other deodorizing substance to any filth which may from time to time be deposited in any pan, pit, or other receptacle for filth constructed, fitted, or used in or in connexion with such earthcloset.

72. Every person who shall construct an earthcloset in connexion with a building, and shall provide in or in connexion with such earthcloset a fixed receptacle for filth, shall construct such earthcloset outside such building, and shall construct or fix the receptacle of such earthcloset in

such a manner and in such a position as to admit of the frequent and effectual application of a sufficient quantity of dry earth or other deodorizing substance to any filth which may from time to time be deposited in such receptacle, and in such a manner and in such a position as to admit of ready access to such receptacle for the purpose of removing the contents thereof.

He shall not construct such receptacle of a capacity greater than may be sufficient to contain such filth and dry earth or other deodorizing substance as may be deposited therein during a period not exceeding *three months*, or in any case of a capacity exceeding *forty cubic feet*.

He shall construct such receptacle of such material or materials, and in such a manner, as to prevent any absorption by any part of such receptacle of any filth deposited therein, or any escape, by leakage or otherwise, of any part of the contents of such receptacle.

He shall construct or fix such receptacle so that the bottom or floor thereof shall be at least *three inches* above the level of the surface of the ground immediately adjoining the earthcloset, and so that the contents of such receptacle may not at any time be exposed to any rainfall or to the drainage of any waste water or liquid refuse.

73. Every person who shall construct an earthcloset in connexion with but not within a building, and shall provide in or in connexion with such earthcloset a movable receptacle for filth, shall construct such earthcloset so that the position and mode of fitting of such receptacle may admit of the frequent and effectual application of a sufficient quantity of dry earth or other deodorizing substance to any filth which may from time to time be deposited in such receptacle, and may also admit of ready access to that part of the earthcloset in which such receptacle may be placed or fitted, and of the convenient removal of such receptacle or of the contents thereof.

He shall also construct such earthcloset so that the contents of such receptacle may not at any time be exposed to any rainfall or to the drainage of any waste water or liquid refuse.

74. Every person who shall construct an earthcloset within a building shall construct such earthcloset for use in combination with a movable receptacle for filth.

He shall construct such earthcloset so as to admit of a movable receptacle for filth of a capacity not exceeding *two cubic feet* being placed and fitted beneath the seat in such a manner and in such a position as may effectually prevent the deposit upon the floor or sides of the space beneath such seat, or elsewhere than in such receptacle, of any filth which may from time to time fall or be cast through the aperture in such seat.

He shall construct such receptacle in such a manner and in such a position as to admit of the frequent and effectual application of a sufficient quantity of dry earth or other deodorizing substance to any filth which may from time to time be deposited in such receptacle, and in such a manner and in such a position as to admit of ready access for the purpose of removing the contents thereof.

75. Every person who shall construct a privy in connexion with a building shall construct such privy at a distance of *feet* at the least from a dwelling-house or public building, or any building in which any person may be or may be intended to be employed in any manufacture, trade or business.

76. A person who shall construct a privy in connexion with a building shall not construct such privy within the distance of *feet* from any well, spring, or stream of water used or likely to be used by man for drinking or domestic purposes, or for manufacturing drinks for the use of man, or otherwise in such a position as to render any such water liable to pollution.

77. Every person who shall construct a privy in connexion with a building shall construct such privy in such a manner and in such a position as to afford ready means of access to such privy, for the purpose of cleansing such privy and of removing filth therefrom, and in such a manner and in such a position as to admit of all filth being removed from such privy, and from the premises to which such privy may belong without being carried through any dwelling-house or public building, or any building in which any person may be, or may be intended to be employed in any manufacture, trade, or business.

78. Every person who shall construct a privy in connection with a building shall provide such privy with a sufficient opening for ventilation, as near to the top as practicable, and communicating directly with the external air.

He shall cause the floor of such privy to be flagged or paved with hard tiles or other non-absorbent material, and he shall construct such floor so that it shall be in every part thereof at a height of not less than *six inches* above the level of the surface of the ground adjoining such privy, and so that such floor shall have a fall or inclination towards the door of such privy of *half an inch* to the *foot*.

79. Every person who shall construct a privy in connexion with a building, and shall construct such privy for use in combination with a movable receptacle for filth, shall construct over the whole area of the space immediately beneath the seat of such privy a flagged or asphalted floor, at a height of not less than *three inches* above the level of the surface of the ground adjoining such privy; and he shall cause the whole extent of the containing walls of such space between the floor and the seat, except such opening as may be necessary for the purpose of affording access to such space, to be constructed of flagging, slate, or good brickwork, at least *nine inches* thick, and rendered in good cement or asphalted.

He shall construct the seat of such privy, the aperture in such seat, and the space beneath such seat, of such dimensions as to admit of a movable receptacle for filth of a capacity not exceeding *two cubic feet* being placed and fitted beneath such seat in such a manner and in such a position as may effectually prevent the deposit, upon the floor or sides of the space beneath such seat or elsewhere than in such receptacle, of any filth which may from time to time fall or be cast through the aperture in such seat.

He shall construct the seat of such privy, so that the whole of such seat, or a sufficient part thereof, may be readily removed or adjusted in such a manner as to afford adequate access to the space beneath such seat for the purpose of cleansing such space, or of removing therefrom or placing and fitting therein the appropriate receptacle for filth or shall otherwise provide adequate means of access to such space for the purpose aforesaid.

80. Every person who shall construct a privy in connexion with a building, and shall construct such privy for use in combination with a fixed receptacle for filth, shall construct or fix in or in connexion with such privy

suitable means or apparatus for the frequent and effectual application of ashes, dust, or dry refuse to any filth which may from time to time be deposited in such receptacle.

He shall construct such receptacle so that the contents thereof may not at any time be exposed to any rainfall or the drainage of any waste water or liquid refuse.

He shall construct such receptacle of such material or materials and in such a manner as to prevent any absorption by any part of such receptacle of any filth deposited therein or any escape, by leakage or otherwise, of any part of the contents of such receptacle.

He shall construct such receptacle so that the bottom or floor thereof shall be in every part at least *three inches* above the level of the surface of the ground adjoining such receptacle.

He shall not in any case construct such receptacle of a capacity exceeding *eight cubic feet*.

He shall construct the seat of such privy so that the whole of such seat, or a sufficient part thereof, may be readily removed or adjusted in such a manner as to afford adequate access to such receptacle for the purpose of removing the contents thereof, and of cleansing such receptacle, or shall otherwise provide in or in connexion with such privy adequate means of access to such receptacle for the purpose aforesaid.

81. A person who shall construct a privy in connexion with a building shall not cause or suffer any part of the space under the seat of such privy, or any part of any receptacle for filth in or in connexion with such privy to communicate with any drain.

82. Every person who shall construct an ashpit in connexion with a building shall construct such ashpit at a distance of *feet* at the least from a dwelling-house or public building, or any building in which any person may be, or may be intended to be employed in any manufacture, trade, or business.

83. A person who shall construct an ashpit in connexion with a building shall not construct such ashpit within the distance of *feet* from any well, spring, or stream of water used or likely to be used by man for drinking or domestic purposes, or for manufacturing drinks for the use of man, or otherwise in such a position as to render any such water liable to pollution.

84. Every person who shall construct an ashpit in connexion with a building shall construct such ashpit in such a manner and in such a position as to afford ready means of access to such ashpit for the purpose of cleansing such ashpit, and of removing the contents thereof, and, so far as may be practicable, in such a manner and in such a position as to admit of the contents of such ashpit being removed therefrom, and from the premises to which such ashpit may belong, without being carried through any dwelling-house or public building, or any building in which any person may be, or may be intended to be employed in any manufacture, trade, or business.

85. Every person who shall construct an ashpit in connexion with a building shall construct such ashpit of a capacity not exceeding in any case *six cubic feet*.

86. Every person who shall construct an ashpit in connexion with a building shall construct such ashpit of flagging, or of slate, or of good brickwork, at least *nine inches* thick, and rendered inside with good cement or properly asphalted.

He shall construct such ashpit so that the floor thereof shall be at a height of not less than *three inches* above the surface of the ground adjoining such ashpit, and he shall cause such floor to be properly flagged or asphalted.

He shall cause such ashpit to be properly roofed over and ventilated, and to be furnished with a suitable door in such a position and so constructed and fitted as to admit of the convenient removal of the contents of such ashpit, and to admit of being securely closed and fastened for the effectual prevention of the escape of any of the contents of such ashpit.

87. A person who shall construct an ashpit in connexion with a building shall not cause or suffer any part of such ashpit to communicate with any drain.

88. A person shall not provide in connexion with a building any movable ashpit unless such ashpit be constructed of galvanised iron or other suitable impervious material of a sufficient strength and thickness and be otherwise such as to satisfy the requirements of the following rules.

(a.) Such ashpit shall be provided with suitable handles and a properly fitting cover.

(b.) Such ashpit shall be of a capacity not exceeding *six cubic feet*.

89. Every person who shall construct a cesspool in connexion with a building shall construct such cesspool at a distance of *feet* at the least from a dwelling-house or public building, or any building in which any person may be, or may be intended to be employed in any manufacture, trade or business.

90. A person who shall construct a cesspool in connexion with a building shall not construct such cesspool within the distance of *feet* from any well, spring, or stream of water used or likely to be used by man for drinking or domestic purposes, or for manufacturing drinks for the use of man, or otherwise in such a position as to render any such water liable to pollution.

91. Every person who shall construct a cesspool in connexion with a building shall construct such cesspool in such a manner and in such a position as to afford ready means of access to such cesspool for the purpose of cleansing such cesspool, and of removing the contents thereof, and in such a manner and in such a position as to admit of the contents of such cesspool being removed therefrom, and from the premises to which such cesspool may belong, without being carried through any dwelling-house or public building, or any building in which any person may be, or may be intended to be employed in any manufacture, trade or business.

He shall not in any case construct such cesspool so that it shall have, by drain or otherwise, any outlet into or means of communication with any sewer.

92. Every person who shall construct a cesspool in connexion with a building shall construct such cesspool of good brickwork in cement properly rendered inside with cement, and with a backing of at least *nine inches* of well puddled clay, or of at least *six inches* of good cement concrete around and beneath such brickwork, or shall otherwise construct such cesspool of suitable material, and so as to be impervious to liquid.

He shall also cause such cesspool to be arched or otherwise properly covered over, and to be provided with adequate means of ventilation.

*93. The foregoing byelaws with respect to waterclosets, earthclosets, privies, ashpits and cesspools, shall apply to

* *Where Part III. of the Public Health Acts Amendment Act, 1890 (53 & 54 Vict. c. 59) is not in force this byelaw must be omitted.*

waterclosets, earthclosets, privies, ashpits and cesspools, in connection with buildings erected either before or after the times mentioned in section 157 of the Public Health Act, 1875.

With respect to the closing of buildings or parts of buildings unfit for human habitation, and to prohibition of their use for such habitation.

94. In every case :—

Where, by a notice in writing in the form hereunto appended, or to the like effect, and signed by the clerk to the Council, and duly served upon or delivered to the owner of a building or part of a building erected after the*

the Council shall certify that it has been represented to them that such building or part of a building is unfit for human habitation, and that, unless on or before such day as shall be specified in such notice, such owner, by a statement in writing under his hand or under the hand of his agent duly authorized in that behalf, and addressed to and duly served upon or delivered to the Council, shall show sufficient cause why such building or part of a building shall not be declared unfit for human habitation, or unless, on such day and at such time and place as shall be specified in such notice, such owner personally or by his agent duly authorized in that behalf shall attend before the Council and show sufficient cause why such building or part of a building shall not be declared unfit for human habitation, the Council will declare such building or part of a building unfit for human habitation, and direct that such building or part of a building shall be closed, and prohibit the use for human habitation of such building or part of a building until the same shall have been rendered fit for human habitation :

And where such owner shall fail to show sufficient cause why such building or part of a building shall not be declared unfit for human habitation, and where, in consequence of such failure, the Council by their order, which shall be in writing under their seal in the form hereunto

* *Insert here either the words "date on which the Local Government Acts came into force in the district," or the words "date of the confirmation of these byelaws."*

appended, or to the like effect, and shall be duly signed by their clerk, and which, or a copy of which shall be affixed in some conspicuous position in or upon such building or part of a building, may declare that such building or part of a building is unfit for human habitation, and may direct that, unless and until such building or part of a building shall have been rendered fit for human habitation, the same shall be closed, and the use thereof for human habitation shall be prohibited :—

A person shall not, after the date specified in such order and before such building or part of a building shall have been rendered fit for human habitation, knowingly inhabit or continue to inhabit, or knowingly cause or suffer to be inhabited such building or part of a building.

Form of Notice.

Borough or Urban or Rural District of _____

To

of

WHEREAS by a statement in writing under the hand of
Medical Officer of Health (or
Surveyor) of the¹

_____, of which statement a copy is contained
in the schedule hereunto annexed, it has been certified to the
said Council that a certain building or part of a building situate
at _____ in the said district is unfit for
human habitation ;

And whereas it has been shown to the said Council that you are
the owner of such building or part of a building ;

Now, I _____, clerk to the said Council, do hereby
give you notice that, unless on or before the _____ day of
19____, by a statement in writing under your
hand or under the hand of an agent duly authorized by you in
that behalf, and addressed to and duly served upon or delivered
to the said Council, you shall show to the said Council sufficient
cause why such building or part of a building shall not be declared
unfit for human habitation ;

¹—“ Council of the Borough of _____
“ Rural District Council of _____

” ; or “ Urban ” or
” ; as the case may be.

Or, unless you shall attend either personally or by an agent duly authorized in that behalf before the said Council at their office in _____ on _____ day the _____ day of _____ 19____, at _____ o'clock in the _____ noon, and shall then and there show to the said Council sufficient cause why such building or part of a building shall not be declared unfit for human habitation ;

The said Council, in pursuance of the powers conferred upon them in that behalf, will, by an order in writing under their seal, declare that such building or part of a building is unfit for human habitation, and direct that, unless and until such building or part of a building shall have been rendered fit for human habitation, the same shall be closed, and the use thereof for human habitation shall be prohibited.

Witness my hand this _____ day of _____ in the year one thousand nine hundred _____

Town Clerk (or Clerk to the Council).

SCHEDULE.

Copy of certificate of

Form of Order.

Borough or Urban or Rural District of _____

To _____, of _____ and
to all others whom it may concern :

WHEREAS it has been certified to us, the¹ _____, that a certain
building or part of a building situate at _____
in the said district is unfit for human habitation ;

And whereas due notice of such certificate has been given
to _____, the owner of such building
or part of a building, and the said _____ has failed
to show sufficient cause why such building or part of a building
shall not be declared unfit for human habitation ;

Now we, the said Council, in pursuance of the powers conferred upon us in that behalf, do hereby declare that such building or part of a building is unfit for human habitation ; and we do hereby direct that, unless and until such building or part of a building shall have been rendered fit for human habitation, the same shall be closed, and the use thereof for human habitation shall be prohibited.

Given under the common seal of the _____ Council,
Corporation, this _____
day of _____, in the year one thousand
nine hundred _____

Town Clerk (or Clerk to the Council).

(L.S.)

As to the giving of notices, as to the deposit of plans and sections by persons intending to lay out streets or to construct buildings, and as to inspection by the Council.

95. Every person who shall intend to lay out a street shall give to the Council notice in writing of such intention, which shall be delivered or sent to their clerk at his or their office, or to their surveyor at his or their office, and shall at the same time deliver or send, or cause to be delivered or sent to their clerk at his or their office, or to their surveyor at his or their office, a plan and sections

¹ "Council of the Borough of
or "Rural District Council of

" ; or "Urban"
"; as the case may be

of such intended street, drawn to a scale of not less than *one inch* to every *forty-four feet*.

Such person shall show on every such plan the names of the owners of the land through or over which such street shall be intended to pass, the intended level and width, the points of the compass, the intended mode of construction, the intended name of such street, and its intended position in relation to the streets nearest thereto, the size and number of the intended building lots, and the intended sites, height, class, and nature of the buildings to be erected therein, and the intended height of the division and fence walls thereon, and the name and address of the person intending to lay out such street.

Such person shall sign such plan, or cause the same to be signed by his duly authorized agent.

Such person shall show on every such section the levels of the present surface of the ground above some known datum, the intended level and rate or rates of inclination of the intended street, the level and inclinations of the streets with which it is intended that such street shall be connected, and the intended level of the lowest floors of the intended buildings.

96. Every person who shall intend to erect a building shall give to the Council notice in writing of such intention, which shall be delivered or sent to their clerk at his or their office, or to their surveyor at his or their office, and shall at the same time deliver or send, or cause to be delivered or sent to their clerk at his or their office, or to their surveyor at his or their office, complete plans and sections of every floor of such intended building, which shall be drawn to a scale of not less than *one inch* to every *eight feet*, and shall show the position, form, and dimensions of the several parts of such building, and of every watercloset, earth-closet, privy, ashpit, cesspool, well, and all other appurtenances, and in which the building shall be so described as to show whether it is intended to be used as a dwelling-house or otherwise.

Such person shall at the same time deliver or send, or cause to be delivered or sent to the clerk to the Council at his or their office, or to their surveyor at his or their office, a description in writing of the materials of which it is intended that such building shall be constructed, and of the intended mode of drainage and means of water supply.

Such person shall at the same time deliver or send, or cause to be delivered or sent to the clerk to the Council at his or their office, or to their surveyor at his or their office, a block plan of such building which shall be drawn to a scale of not less than *one inch* to every *forty-four feet*, and shall show the position of the buildings and appurtenances of the properties immediately adjoining, the width and level of the street in front, and of the street, if any, at the rear of such building, the level of the lowest floor of such building, and of any yard or open space belonging thereto.

Such person shall likewise show on such plan the intended lines of drainage of such building, and the intended size, depth, and inclination of each drain; and the details of the arrangement proposed to be adopted for the ventilation of the drains.

97. Every person who shall intend to lay out or construct a street, or to erect a building, or otherwise to execute any work to which any of the byelaws relating to new streets and buildings may apply, shall, before beginning to lay out or construct such street, or to erect such building, or to execute such work, deliver or send, or cause to be delivered or sent to the surveyor of the Council at his or their office notice in writing, in which shall be specified the date on which such person will begin to lay out or construct such street, or to erect such building, or to execute such work.

Such person shall also, before proceeding to cover up any sewer or drain, or any foundation of a building, deliver or send, or cause to be delivered or sent to the surveyor of the Council at his or their office notice in writing, in which shall be specified the date on which such person will proceed to cover up such sewer, drain, or foundation.

If such person neglect or refuse to deliver or send any such notice, or to cause any such notice to be delivered or sent to such surveyor, and if such surveyor, on inspecting any work in connexion with such street or building, or such other work as aforesaid, finds that such work is so far advanced that he cannot ascertain whether anything required by any byelaw relating to new streets or buildings has been done contrary to such byelaw, or whether anything required by such byelaw to be done has been omitted to be done, and if, within a reasonable time after such survey or inspection, such person shall, by notice in writing under the hand of such surveyor, be required,

within a reasonable time which shall be specified in such notice, to cause so much of such work as prevents such surveyor from ascertaining whether anything has been done or omitted to be done as aforesaid to be cut into, laid open, or pulled down to a sufficient extent to enable such surveyor to ascertain whether anything has been done or omitted to be done as aforesaid, such person shall within the time specified in such notice cause such work to be so cut into, laid open, or pulled down.

98. In every case :—

Where a person who shall lay out or construct a street, or shall erect a building, or shall execute any other work to which the byelaws relating to new streets and buildings may apply, shall, at any reasonable time during the progress, or after the completion of the laying out or construction of such street, or the erection of such building, or the execution of such work, receive from the surveyor of the Council notice in writing specifying any matters in respect of which the laying out or construction of such street, the erection of such building, or the execution of such work may be in contravention of any byelaw relating to new streets or buildings, and requiring such person within a reasonable time, which shall be specified in such notice, to cause anything done contrary to any such byelaw to be amended, or to do anything which by any such byelaw may be required to be done but which has been omitted to be done :—

Such person shall, within the time specified in such notice, comply with the several requirements thereof so far as such requirements relate to matters in respect of which the laying out or construction of such street, the erection of such building, or the execution of such work may be in contravention of any such byelaw.

Such person, within a reasonable time after the completion of any work which may have been executed in accordance with any such requirement, shall deliver or send, or cause to be delivered or sent, to the surveyor of the Council at his or their office notice in writing of the completion of such work, and shall, at all reasonable times within a period of *seven days* after such notice shall have been so delivered or sent, afford such surveyor free access to such work for the purpose of inspection.

99. Every person who shall lay out or construct a street, or shall erect a building, or shall execute any other work to which any of the byelaws relating to new streets

and buildings shall apply, shall, at all reasonable times, during the laying out or construction of such street, or the erection of such building, or the execution of such work, afford the surveyor of the Council free access to such street, building, or work for the purpose of inspection.

100. Every person who shall lay out or construct a street shall, within a reasonable time after the completion of the laying out or construction of such street, deliver or send, or cause to be delivered or sent to the surveyor of the Council, at his or their office, notice in writing of the completion of the laying out or construction of such street, and shall, at all reasonable times, within a period of *seven days* after such notice shall have been so delivered or sent, afford such surveyor free access to such street for the purpose of inspection.

101. Every person who shall erect a building shall, within a reasonable time after the completion of the erection of such building, deliver or send, or cause to be delivered or sent, to the surveyor of the Council, at his or their office, notice in writing of the completion of the erection of such building, and shall, at all reasonable times, within a period of *seven days* after such notice shall have been so delivered or sent, and before such building shall be occupied, afford such surveyor free access to every part of such building for the purpose of inspection.

Penalties.

102. Every person who shall offend against any of the foregoing byelaws shall be liable for every such offence to a penalty of *five pounds*, and in the case of a continuing offence to a further penalty of *forty shillings* for each day after written notice of the offence from the Council :

Provided, nevertheless, that the justices or court before whom any complaint may be made or any proceedings may be taken in respect of any such offence may, if they think fit, adjudge the payment as a penalty of any sum less than the full amount of the penalty imposed by this byelaw.

As to the power of the Council to remove, alter, or pull down any work begun or done in contravention of the byelaws.

103. If any work to which any of the foregoing byelaws may apply be begun or done in contravention of any such byelaw, the person by whom such work shall be so begun

or done, by a notice in writing, which shall be signed by the clerk to the Council, and shall be duly served upon or delivered to such person, shall be required on or before such day as shall be specified in such notice by a statement in writing under his hand or under the hand of an agent duly authorized in that behalf, and addressed to and duly served upon the Council, to show sufficient cause why such work shall not be removed, altered, or pulled down ; or shall be required on such day and at such time and place as shall be specified in such notice to attend personally or by an agent duly authorized in that behalf before the Council and show sufficient cause why such work shall not be removed, altered, or pulled down.

If such person shall fail to show sufficient cause why such work shall not be removed, altered, or pulled down, the Council shall be empowered, subject to any statutory provision in that behalf, to remove, alter, or pull down such work.

Repeal of Byelaws.¹

104. From and after the date of the confirmation of these byelaws, the byelaws relating to new streets and buildings which were made on the day of
in the year one thousand hundred and by the

and were confirmed on the
day of in the year one thousand
hundred and

by [one of the Principal Secretaries of State of Her late Majesty Queen Victoria] [the Local Government Board] shall be repealed, except as regards any work commenced before the date of the confirmation of this byelaw, or any work not so commenced, but of which plans shall either have been approved by the Council before such date, or have been sent to the Surveyor or Clerk to the Council one month at least before such date, and shall not have been disapproved by the Council.

¹ *If this clause is not included in the series submitted to the Local Government Board for approval, it should be stated whether or not there are any byelaws in force upon the subject.*



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